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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FILED

NOV 13 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL DANIEL LILLY MARTIN,

Defendant.

CRIMINAL NO.

NOTICE OF PROCEEDINGS ON
OUT-OF-DISTRICT CRIMINAL
CHARGES PURSUANT TO RULES
5(c)(2) AND (3) OF THE FEDERAL RULES
OF CRIMINAL PROCEDURE

BZ
3 07 7 0679

Please take notice pursuant to Rules 5(c)(2) and (3) of the Federal Rules of Criminal
Procedure that on or about November 9, the above-named defendant was arrested based upon an
arrest warrant (copy attached) issued upon an

☐ Indictment

☐ Information

☐ Criminal Complaint

☐ Other (describe) _____

pending in the Southern District of California, Case Number CR07MJ2595.

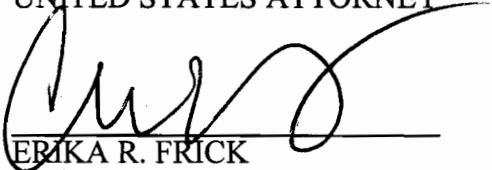
1 In that case, the defendant is charged with a violation(s) of Title(s) 18 United States
2 Code, Section(s) 2113(a) .

3 Description of Charges: Bank Robbery .
4

5 Respectfully Submitted,

6 SCOTT N. SCHOOLS
7 UNITED STATES ATTORNEY

8 Date: November 13, 2007
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11 ERIKA R. FRICK
12 Assistant U.S. Attorney
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UNITED STATES OF AMERICA,

v.

MICHAEL DANIEL LILLY MARTIN

WARRANT ISSUED ON THE BASIS OF:

☐ Failure to Appear ☐ Order of Court
☐ Indictment ☐ Information
☒ Complaint

TO:

Any U.S. Marshal or other
authorized officer

DISTRICT OF ARREST:

'07 MJ 2595
Magistrate's Case No. _____

WARRANT FOR ARREST

NAME AND ADDRESS OF PERSON TO BE ARRESTED:

MICHAEL DANIEL LILLY MARTIN

CITY OF ARREST:

YOU ARE HEREBY COMMANDED to arrest the above-named person and bring that person before
the United States District Court to answer to the charge(s) listed below.

DESCRIPTION OF CHARGES

BANK ROBBERY

IN VIOLATION OF UNITED STATES CODE TITLE 18 SECTION 2113(a)

BAIL OTHER CONDITIONS OF RELEASE

ORDERED BY

DATE ORDERED

CLERK OF COURT/U.S. MAGISTRATE BY

CATHY ANN BENCIVENGO

DATE ISSUED

RETURN

THIS WARRANT WAS RECEIVED AND EXECUTED WITH THE ARREST OF THE ABOVE-NAMED PERSON.

DATE RECEIVED

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE

DATE EXECUTED

Note: The arresting officer is directed to serve the attached copy of the charge
on the defendant at the time this warrant is executed.

COMPLAINT

07 NOV 5 PM 2:07
UNITED STATES DISTRICT COURT

FOR THE DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

UNITED STATES OF AMERICA

v.

MICHAEL DANIEL LILLY MARTIN
MELANIE ELIZABETH DEPALMER

COMPLAINT FOR VIOLATION OF

U.S.C. Title 18 Section 2113(a)
U.S.C. Title 18 Section 2

Bank Robbery

'07 MJ 2595

BEFORE

NAME OF MAGISTRATE

San Diego, California

ADDRESS OF MAGISTRATE

THE UNDERSIGNED COMPLAINANT BEING DULY SWORN STATES:

That on or about October 5, 2007, at La Mesa, California, within
the Southern District of California:

MICHAEL DANIEL LILLY MARTIN and
MELANIE ELIZABETH DEPALMER

did by force, violence and intimidation unlawfully take from the
person and presence of employees at the Citibank, 3777 Avocado
Boulevard, La Mesa, California, United States currency in the sum
of \$4,273.00, belonging to, or in the care, custody, control,
management or possession of the Citibank, 3777 Avocado Boulevard,
La Mesa, California, whose deposits were then insured by the
Federal Deposit Insurance Corporation, in violation of Title 18,
United States Code, Sections 2113 (a) and 2;

And the complainant states that this complaint is based on the
attached affidavit which is incorporated herein by reference.

David J. Eaton, FBI
David J. Eaton
Special Agent, FBI

Sworn to before me, and subscribed in my presence on this
5th day of November, 2007.

Catherine A. Bencivengo
Catherine A. Bencivengo
United States Magistrate Judge

A F F I D A V I T

STATE OF CALIFORNIA)

) ss.

COUNTY OF SAN DIEGO)

I, David J. Eaton, being duly sworn, depose and say:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI), and have been so employed since June, 1988. I am currently assigned to the San Diego Field Division. My primary assignment is the investigation of bank robberies and other violent crimes. The information contained in this affidavit is based upon my personal knowledge and on the information I have learned from reviewing official reports and speaking with other local and federal law enforcement officers.

2. On October 5, 2007, at approximately 11:40 a.m., Special Agents of the San Diego FBI Field Office responded to the report of a robbery at the Citibank, 3777 Avocado Boulevard, La Mesa, California.

3. During the course of that investigation, the victim teller was interviewed. The affiant has reviewed the report of the interview of the victim teller, who advised as follows: On October 5, 2007, the victim teller was working at his teller window when he was approached by a white female later identified as MELANIE ELIZABETH DEPALMER. DEPALMER placed a demand note on the teller counter. The victim teller recalled that portions of the demand note read, "No

1 alarms, no transmitters. . . I have a button I will push."
2 The victim teller realized he was being robbed so he removed
3 U.S. currency from his teller drawer. DEPALMER told the
4 teller to place the money into an envelope. As he did so, a
5 white male, later identified as MICHAEL DANIEL LILLY MARTIN,
6 approached the teller window and placed his arm around
7 DEPALMER. The victim teller attempted to hand the envelope
8 and money to DEPALMER, but MARTIN reached out and took the
9 loot from the victim teller. DEPALMER and MARTIN then exited
10 the bank together and fled in an unknown direction. The
11 victim teller described the robbers as follows;

12 Female Robber

13 Race: White
14 Sex: Female
15 Age: 25-26 years old
16 Height: 5'1" - 5'2"
17 Weight: 115 pounds
18 Hair: Blonde
19 Clothing: White tank top; jeans;
20 sunglasses

21 Male Robber

22 Race: White
23 Sex: Male
24 Age: 25-26 years old
25 Height: 6'4" - 6'5"
26 Weight: 200 pounds
27 Clothing: White tank top; black sweat
28 pants; black hat; sunglasses

1 4. On November 3, 2007, the affiant interviewed
2 MELANIE ELIZABETH DEPALMER who was currently in custody at
3 the Las Colinas Women's Facility, Cottonwood Road, Santee,
4 California. DEPALMER was arrested on November 2, 2007, and
5 was being held in custody based on a warrant issued in
6 Northern California. DEPALMER was not yet represented by
7 Counsel at the time of the interview. DEPALMER was advised
8 of her Constitutional Miranda rights. DEPALMER advised that
9 she understood her rights. DEPALMER voluntarily agreed to
10 waive her rights and answer questions at that time without an
11 attorney present. DEPALMER voluntarily advised as follows:
12 DEPALMER has known MICHAEL DANIEL LILLY MARTIN for
13 approximately the past four years. DEPALMER and MARTIN have
14 been involved in a romantic relationship during most of the
15 past four years. DEPALMER and MARTIN currently travel
16 together and stay at various hotels together as they do not
17 have a permanent residence. DEPALMER and MARTIN have been
18 using methamphetamine on almost a daily basis for
19 approximately the past two years. DEPALMER and MARTIN last
20 stayed at the BARONA VALLEY RESORT AND CASINO hotel on
21 Thursday night, November 1, 2007. In the early morning hours
22 of Friday, November 2, 2007, DEPALMER and MARTIN drove
23 themselves to Grossmont Hospital in La Mesa, California, as
24 they were both experiencing medical problems. While at the
25 hospital, DEPALMER and MARTIN were both taken into custody by
26 officers of the La Mesa Police Department. DEPALMER was
27 subsequently transported to the Las Colinas Women's Facility.
28 DEPALMER has since been advised that she is being held in

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1 custody based on a felony robbery warrant issued in the Napa,
2 California, area. DEPALMER described the vehicle which she
3 and MARTIN drove to the hospital as a maroon Ford Focus which
4 they recently purchased in Napa, California. DEPALMER and
5 MARTIN have driven several other vehicles in the past several
6 months which they have since sold or abandoned. DEPALMER and
7 MARTIN left most of their personal belongings in their hotel
8 room at the BARONA VALLEY RESORT AND CASINO. DEPALMER and
9 MARTIN also maintain personal belongings in their maroon Ford
10 Focus vehicle. DEPALMER voluntarily admitted that during the
11 past five to six weeks, she and MARTIN have been involved in
12 a series of bank robberies in San Diego County, California,
13 and in the Napa, California, area. DEPALMER estimated that
14 she and MARTIN were responsible for approximately 15 bank
15 robberies during that time frame. DEPALMER admitted that on
16 most occasions, MARTIN would enter the bank to commit the
17 robbery; on a few occasions, DEPALMER entered the bank to
18 commit the robbery; and on at least one occasion DEPALMER and
19 MARTIN were both present in the bank during the robbery.
20 DEPALMER admitted that she was always with MARTIN when he
21 committed a bank robbery, and that she typically waited in
22 the getaway vehicle while MARTIN committed the bank robbery.
23 DEPALMER was shown bank surveillance photographs from the
24 October 5, 2007, robbery of the Citibank, 3777 Avocado
25 Boulevard, La Mesa, California. DEPALMER positively
26 identified herself and MARTIN in those photographs. DEPALMER
27 advised that MARTIN asked her to go in to rob the bank
28 because MARTIN believed he was "too hot" to go into a bank on

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1 that date. DEPALMER understood MARTIN to mean that he had
2 robbed several banks in the preceeding days and he believed
3 he might be easily recognized on that date. DEPALMER
4 recalled that she was having difficulty seeing while inside
5 the bank because she was wearing dark sunglasses. DEPALMER
6 eventually began looking over the top of her sunglasses
7 during the robbery. DEPALMER commented that she was not
8 wearing what she wanted to wear during the robbery. She
9 explained that she wished she had been wearing a hat during
10 the robbery to better conceal her identity. DEPALMER
11 recalled that while she was in the process of committing the
12 robbery, MARTIN entered the bank and approached the teller
13 window where she was standing. MARTIN took the money from
14 the victim teller. DEPALMER and MARTIN then exited the bank
15 together and fled the area in their getaway vehicle. As they
16 were driving away from the bank, MARTIN located an
17 undetonated dye-pack among the bank loot. MARTIN separated
18 the dye-pack from the rest of the loot and threw the dye-pack
19 out of the car window as the were driving. MARTIN
20 subsequently told DEPALMER that he entered the bank during
21 the robbery because he had observed the victim teller doing
22 something suspicious during the robbery. DEPALMER advised
23 that after committing several bank robberies in San Diego
24 County, she and MARTIN drove to the Napa, California, area to
25 visit MARTIN's grandfather who was ill. DEPALMER admitted
26 that she and MARTIN committed at least two bank robberies
27 while in the Napa, California, area. DEPALMER was shown bank
28 surveillance photographs from the October 2, 2007, robbery of

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1 the Wells Fargo Bank, 8898 Navajo Road, San Diego,
2 California; the October 3, 2007, robbery of the Washington
3 Mutual Bank, 348 South Twin Oaks Valley Road, San Marcos,
4 California; the October 4, 2007, robbery of the Union Bank of
5 California, 1512 Main Street, Ramona, California; and the
6 October 29, 2007, robbery of the California Bank and Trust,
7 135 Saxony Road, Encinitas, California. DEPALMER positively
8 identified MICHAEL MARTIN as the bank robber in all of those
9 surveillance photographs. DEPALMER advised that the robbery
10 on October 29, 2007, was the last bank robbery she and MARTIN
11 committed.

12 5. The affiant has reviewed a California DMV
13 photograph of MICHAEL DANIEL LILLY MARTIN, and has compared
14 that photograph to the bank surveillance photographs from the
15 bank robberies identified above. It is the opinion of the
16 affiant that MARTIN appears to be identical to the individual
17 depicted in those bank robbery surveillance photographs.

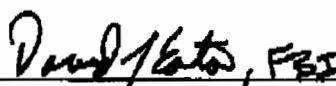
18 6. MARTIN is described as follows:

19	Name:	MICHAEL DANIEL LILLY MARTIN
20	Race:	White
21	Sex:	Male
22	Height:	6'4"
23	Weight:	240 pounds
24	Hair:	Brown
25	Eyes:	Hazel
26	Date of Birth:	February 15, 1980
27	Driver's License #:	B6858535 (California)
28	Home Address:	Transient

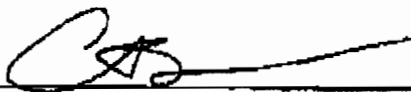
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1 7. DEPALMER is described as follows:
 2 Name: MELANIE ELIZABETH DEPALMER
 3 Race: White
 4 Sex: Female
 5 Height: 5'3"
 6 Weight: 110 pounds
 7 Hair: Blonde
 8 Eyes: Brown
 9 Date of Birth: September 3, 1980
 10 Driver's License #: D1132939 (California)
 11 Home Address: Transient

12 B. The affiant has confirmed that at the time of
 13 the bank robbery on October 5, 2007, the deposits of the
 14 Citibank, 3777 Avocado Boulevard, La Mesa , California, were
 15 insured by the Federal Deposit Insurance Corporation (FDIC).
 16 The Citibank incurred a loss of \$4,273.00 as a result of the
 17 robbery on that date.

18
 19 
 20 David J. Eaton
 21 Special Agent, FBI

22 Sworn to before me and subscribed in my presence this
 23 5th day of November, 2007, at 1:45 ~~pm~~ /p.m.

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 25 Catharine A. Bencivengo
 26 United States Magistrate Judge
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